

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL WRIT PETITION NO.2535 OF 2004

Mahesh H. Punjabi & Anr. ..Petitioners
Versus
The Inspector in Charge & Ors. ..Respondents

Mr.Ganesh Gole for petitioners
Ms.P.H.Kantharia, APP for State

CORAM : R.M.S.KHANDEPARKER &
P.V.KAKADE, JJ.

DATE : 27TH JANUARY, 2005.

P.C.:

. Heard.

2. The Petitioners challenge the FIR filed against them on 11.1.2004 on the ground that the same does not disclose any case of gambling and therefore the same should be quashed and set aside. The bare perusal of the FIR discloses that the Petitioners were apprehended while playing with the Cards for stakes and by investing money for the said game and thereby they were gambling. Considering the said allegations in the FIR, the

question of interference in the said FIR for quashing the same does not arise at all. Whatever points which are sought to be raised by the Petitioners could be a good defence for them to answer to the charge of gambling. It is too premature for this Court to interfere in the matter for quashing the FIR. Hence the Petition is liable to be rejected and is rejected.

(R.M.S.Khandeparkar, J)

(P.V.Kakade, J.)